IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 27TH SEPTEMBER 2007 / 5TH ASWINA 1929

WP(C).No. 28739 of 2007(U)

PETITIONER:

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1. SHAJI A.M.,S/O. LATE MOHAMMED KHAN
   RESIDING AT AETTUPANKIL HOUSE, KOOVAPPALY TALUK,
   ADVOCATE KOTTAYAM.

2. M.S.PRAMOD KUMAR,
   S/O. LATE M.N.SREENARAYANA PANICKER,
   MULLUVARATH HOUSE, ANIKKADU VILLAGE,
   KOTTAYAM TALUK,KOTTAYAM DISTRICT,
   ADVOCATE KOTTAYAM.

3. K.A.PRASAD S/O. LATE T.K.ACHUTHAN,
   KALLAKATTIL HOUSE,MANARKADU VILLAGE,
   KOTTAYAM TALUK,KOTTAYAM DISTRICT,
   ADVOCATE, KOTTAYAM.

BY ADV. SRI.TOM JOSE (PADINJAREKARA)

RESPONDENTS:

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1. STATE OF KERALA,REPRESENTED BY CHIEF
   SECRETARY, THIRUVANANTHAPURAM.

2. LAW SECRETARY, LAW DEPARTMENT,
   GOVERNMENT OF KERALA,THIRUVANANTHAPURAM.

3. DISTRICT COLLECTOR,CIVIL STATION,
   COLLECTORATE P.O.KOTTAYAM.

BY ADV. SHRI.BEJOY CHANDRAN, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

WP(C) No. 28739 of 2007

Dated, this the 27th day of September, 2007

J U D G M E N T

Petitioners had worked as Additional Government Pleaders and Additional Public Prosecutors in Kottayam. Apparently, before the completion of their tenure, their services were dispensed with as per Ext.P1 order. Petitioners have a grievance that they have not been paid the termination salary due to them, notwithstanding the fact that their services were terminated with effect from 18/12/2006 ahead of the expiry of their tenure. They have brought this to the notice of the District Collector vide Exts.P2 to P4.

2. If the petitioners' services were terminated prior to the expiry of the period, Rules provide for payment of one month's salary in lieu of notice. To say the least, it is embarrassing for a Law Officer to approach the Government or the District Collector for his termination salary. To pursue the matter before a court of law after expiry of more than nine months from the date of termination is even more embarrassing. I do not wish to comment any further in this matter.

3. I have heard the learned counsel for the petitioners and

learned Government Pleader.

4. This writ petition is disposed of directing the 3rd respondent to look into Exts.P2 to P4 and take an appropriate decision to see that the termination salary due to the petitioners as per Rules, if they are otherwise eligible for the same, is paid to them within a period of three weeks from the date of receipt of a copy of this judgment.

(V.GIRI, JUDGE)

jg